

BEFORE THE TENNESSEE REGULATORY AUTHORITY
AT NASHVILLE, TENNESSEE

REC'D TH
REGULATORY AUTH.

CONSUMER ADVOCATE DIVISION)

)

'98 JUN 15 PM 2 17

vs.)

)

Docket No. 99-00391

BELLSOUTH TELECOMMUNICATIONS,)
INC.)

)

CLERK OF THE
EXECUTIVE SECRETARY

PETITION FOR DECLARATORY ORDER; COMPLAINT AND PETITION FOR
INJUNCTIVE RELIEF

Comes the Consumer Advocate Division of the Office of the Attorney General to Petition the Tennessee Regulatory Authority for a Declaratory Order as to the applicability of Tenn. Code Ann. § 65-5-208 (a) and Tenn. Code Ann. § 65-5-209 with regard to BellSouth Telecommunications's filing to implement a charge \$0.29 cents for Directory Assistance (DA). If there is a finding that the aforementioned statutes do permit a DA charge CAD respectfully requests the Authority to enjoin said DA charge until the complaint against BellSouth Telecommunications is resolved on grounds of breach of contract because some consumers will be irreparably harmed.

The Consumer Advocate Division also petitions for a declaratory order regarding the applicability of the Authority's December 9, 1998 order in docket 95-02614, which provided that BellSouth could operate under a price regulation plan, as said order may affect the CAD's 1995 agreement with BellSouth regarding Directory Assistance. For cause the Consumer Advocate Division would respectfully show:

I

1. That the Petitioner, Consumer Advocate Division of the Office of the Attorney General

(“CAD”), 425 5th Avenue North, 2nd Floor Cordell Hull Building, Nashville, Tennessee, 37243, represents the interest of Tennessee consumers pursuant to Tenn. Code Ann. §§ 65-4-118 and 65-5-210 (b).

2. That Tenn. Code Ann. § 4-5-223 provides in pertinent part:

(a) Any affected person may petition an agency for a declaratory order as to the validity or applicability of a statute, rule or order within the primary jurisdiction of the agency. The agency shall:

(1) Convene a contested case hearing pursuant to the provisions of this chapter and issue a declaratory order which shall be subject to review in the chancery Court of Davidson County, unless otherwise specifically provided by statute, in the manner provided for the review of decisions in contested cases;

3. That the Consumer Advocate Division represents the interests of consumers affected by the validity or applicability of Tenn. Code Ann. § 65-5-208 (a) (1) and Tenn. Code Ann. § 65-5-209 (f) and the December 9, 1998 Order in Docket No. 95-02614.

4. That Tennessee consumers are affected by the statutes and order in paragraph 3 to the extent that they would allow or prohibit a directory assistance charge from the date BellSouth “becomes” a price regulated company or applies for price regulation.

5. That the December 9, 1998 Order did not specify when BellSouth becomes subject to price regulation in any future sense and as a result a price regulation plan for BellSouth has not been properly implemented.

6. CAD also petitions for a declaratory order regarding the December 9, 1998 Order regarding whether a company the General Assembly intended through Tenn. Code Ann. § 65-5-209 in general, and Tenn. Code Ann. § 65-5-209 (f) in particular, for an incumbent local exchange company to “become” subject to price regulation in the past.

7. That Tenn. Code Ann. § 65-5-208 (a) (1) provides:

Classification of services - Exempt services - Price floor - Maximum rates for non-basic services.

(a) Services of incumbent local exchange telephone companies who apply for price regulation under § 65-5-209 are classified as follows:

(1) "Basic local exchange telephone services" are telecommunications services which are comprised of an access line, dial tone, touch-tone and usage provided to the premises for the provision of two-way switched voice or data transmission over voice grade facilities of residential customers or business customers within a local calling area, Lifeline, Link-Up Tennessee, 911 Emergency Services and educational discounts existing on June 6, 1995, or other services required by state or federal statute. These services shall, at a minimum, be provided at the same level of quality as is being provided on June 6, 1995. Rates for these services shall include both recurring and nonrecurring charges.

8. That BellSouth is an incumbent local exchange company and that BellSouth applied for price regulation.
9. That the Consumer Advocate Division respectfully requests that the Authority determine the applicability of the term "usage" in Tenn. Code Ann. § 65-5-208 (a) (1) to BellSouth's provision of basic local exchange service by tariff on June 6, 1995.
10. That BellSouth's basic local exchange service tariff in existence on June 6, 1995 became effective on June 23, 1994 and provided in pertinent part:

A3. BASIC LOCAL EXCHANGE SERVICE

* * *

A3.13.1 GENERAL

- A. In addition to providing telephone directories to all Local Exchange Service subscribers, the Company furnishes Local Directory Assistance Service in determining, or attempting to determine, telephone numbers, directory addressees and ZIP codes.
- B. [applicable only to mobile service providers]

- C. Local Directory Assistance Service Allows a Subscriber To Provide
 - 1. a name to get telephone number, ZIP Code and/or directory address
 - D. Local Directory Assistance Service does not provide the telephone number, address or ZIP Code on a private (nonpublished) listing but does furnish these items from informational records on a semiprivate listing. A copy of the tariff is attached as Exhibit A.
11. That section A3.13.3 is the section of the tariff which contains rates and charges and that section A3.13.3 applies a charge for mobile service providers usage of Local Directory Assistance Service but does not contain a charge for usage of directory assistance by Tennessee consumers who are not mobile service providers.
 12. That BellSouth tariff A3.13.1 provided usage of DA services to the premises of Tennessee consumers at no charge on June 6, 1995 and that directory assistance service of BellSouth was and is a basic local service.
 13. That on June 1, 1999, BellSouth filed a tariff with the Tennessee Regulatory Authority to implement a DA charge of \$0.29 cents per call and that said filing confirms that the rate for directory assistance on the date of filing was “.00”. Said filing of BellSouth is attached hereto as collective Exhibit B.
 14. That the Consumer Advocate Division respectfully requests the Tennessee Regulatory Authority to determine the applicability of Tenn. Code Ann. § 65-5-209 (f).
 15. That the Consumer Advocate Division respectfully requests the Tennessee Regulatory Authority to determine the applicability of its December 9, 1998 order regarding BellSouth as it goes to the issues of whether BellSouth’s Directory Assistance Service can increase the rate at this time and when did BellSouth “become subject to price regulation.”
 16. That BellSouth believed that a DA charge became impossible under price regulation as

evidenced by a May 30, 1996 letter from Mr. Robert Reynolds to Mr. Archie Hickerson.

Said letter is attached hereto as Exhibit C.

17. That Tenn. Code Ann. § 65-5-209 (f) provides:

Notwithstanding the annual adjustments permitted in subsection (e), the initial basic local exchange telephone service rates of an incumbent local exchange telephone company subject to price regulation shall not increase for a period of four (4) years from the date the incumbent local exchange telephone company becomes subject to such regulation. At the expiration of the four-year period, an incumbent local exchange telephone company is permitted to adjust annually its rates for basic local exchange telephone services in accordance with the method set forth in subsection (e) provided that in no event shall the rate for residential basic local exchange telephone service be increased in any one (1) year by more than the percentage change in inflation for the United States using the gross domestic product-price index (GDP-PI) from the preceding year as the measure of inflation.

18. That the tariff of BellSouth to increase the price of DA is an increase of basic local telephone service rates.
19. That Tenn. Code Ann. § 65-5-209 (f) provides in pertinent part that basic telephone service rates shall not increase for a period of four (4) years from the date the incumbent local exchange telephone service “*becomes* subject to” such regulation.
20. That “becomes” is a word describing the future or of future tense and that BellSouth did not “become” subject to regulation under a price regulation plan, if it has ever become subject to price regulation, until the Tennessee Regulatory Authority’s order dated December 9, 1998 in docket 95-02614.
21. That the Consumer Advocate Division is appealing this agency’s December 9, 1998 decision in the Court of Appeals.

III

22. That the following portion of the petition is both a Petition for Declaratory Order and a complaint which addresses the DA filing by BellSouth and assumes that BellSouth is legally able to implement some charge for DA at this time. The Consumer Advocate Division Petitions for Declaratory Order as to the applicability of Tenn. Code Ann. § 65-5-208 (a) (2) and Tenn. Code Ann. § 65-5-209 and the TRA's December 9, 1998 Order to the agreement CAD entered into with BellSouth regarding directory assistance on February 3, 1995. A copy of said agreement is attached hereto as Exhibit D.
23. CAD hereby incorporates sections I and II above to the extent said sections bear on this complaint and request for injunctive relief.

IV

24. That defendant, BellSouth Telecommunications, Inc. (BellSouth), 333 Commerce Street, Suite 2101, Nashville, Tennessee 37201-3300 is a publicly held utility and is subject to the jurisdiction of the Tennessee Regulatory Authority ("Authority") pursuant to Tenn. Code Ann. § 65-4-101. Counsel for BellSouth is Guy Hicks, Esq.
25. That on February 3, 1995 the Consumer Advocate Division and BellSouth Telecommunications entered into an agreement regarding a DA charge.
26. That the agreement was made when BellSouth was not operating under a price regulation plan and this is the first time BellSouth has sought to implement a DA charge since the agreement.
27. That the agreement provided for a \$0.25 cent DA charge, eight (8) free DA calls and contains other provisions which are different from the tariff BellSouth filed on June 1, 1999.

28. That the agreement and its amendment provide that BellSouth upon implementing a DA charge shall implement a toll reduction in mileage bands, eliminate all zone charges and reduce grouping charges by at least \$19.6 million.
29. That an amendment to the agreement, to which BellSouth did not object, further corrected the rate reductions by an additional \$1.6 million.
30. That after entering the agreement, BellSouth, on or about June 20, 1995, made a voluntary election to apply for price regulation, a newly created alternative to the regulation under which BellSouth was operating.
31. That on May 30, 1996, BellSouth transmitted a letter to Mr. Archie Hickerson, Director of Consumer Advocate Division staff .
32. That the letter stated in pertinent part:

.... As you know, BellSouth recently withdrew this tariff [DA tariff], which had been pending before the Commission since October 6, 1994.

* * *

Because of the dramatic change in Tennessee's regulatory landscape, decisions of the Commission since the execution of the draft agreement which possibly renders its performance impossible and the withdrawal of the tariff,[sic] the draft agreement intended to address objections associated with that filing is now moot. At present no decision has been made as to whether or not a similar filing will be made. Before such filing, however, we will contact your office to discuss this matter in a manner consistent with the negotiation procedure which produced the draft settlement agreement.

Exhibit D.

33. That no hearing or motion withdrawing the tariff was ever held.
34. That the so called dramatic change only caused an "impossibility," if it caused an "impossibility" at all, because BellSouth elected to operate under the new regulatory scheme

and that its election does not constitute an impossibility.

35. That the impossibility BellSouth acknowledged was that DA was a basic service which could not be increased for four years.
36. That BellSouth never contacted the Consumer Advocate Division prior to its June 1, 1999 filing of the tariff to charge for DA.
37. That the negotiation procedure referred to in the May 30, 1996 letter was the procedure for calculating the dollar amount BellSouth would reduce the other specified services if it implemented DA.
38. That Tenn. Code Ann. § 4-29-113 (a) provides that the termination of an agency such as the Tennessee Public Service Commission did not terminate the right of BellSouth to obtain approval of the DA tariff or of the Consumer Advocate Division to receive the benefit of rate reduction provided in the agreement.
39. That BellSouth should be estopped from claiming impossibility when it elected the alternative regulation.
40. That BellSouth should be enjoined from implementing its June 1, 1999 DA tariff.
41. That the Consumer Advocate Division has relied upon said claim of impossibility and that Tennessee consumers who use DA as a primary business tool will be irreparably harmed and that consumers who may need to use DA because numbers are not listed in the directory and who go off system will be irreparably harmed if a DA charge is implemented.
42. That BellSouth is earning a 25% rate of return which equates to hundreds of millions of dollars more than a just and reasonable rate and the Company will not be harmed by

injunctive relief.

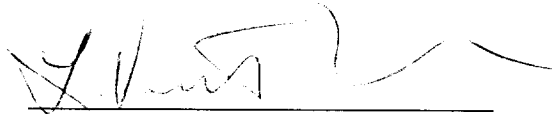
Wherefore the Consumer Advocate Division prays that the Tennessee Regulatory Authority declare that directory assistance service was included in BellSouth's basic service tariff and was usage on June 6, 1995. That the Consumer Advocate Division further prays that the Authority declare the meaning of the term "usage" in Tenn. Code Ann. § 65-5-208. That the Consumer Advocate Division further prays that the Authority upon determining the meaning of the term "usage" determine whether said term applies to services that were tariffed as basic service on June 6, 1995.

The Consumer Advocate Division further prays that the Authority determine the applicability of its December 9, 1998 Order in Docket No. 95-02614 to the agreement with BellSouth and what effect the termination of the Tennessee Public Service Commission had on the agreement under Tenn. Code Ann. § 4-29-113.

The Consumer Advocate Division further prays that the Authority find that CAD had an agreement with BellSouth and that BellSouth breached or will breach the agreement if the DA tariff it filed is implemented and further that BellSouth will breach the agreement if it fails to make the rate reductions provided in the agreement.

The Consumer Advocate Division further prays that the Authority enjoin BellSouth from placing the tariff it filed in this docket in effect on July 1, 1999 and for such other relief as is just.

Respectfully Submitted,



L. Vincent Williams
Deputy Attorney General-Consumer Advocate
Consumer Advocate Division
425 Fifth Ave., North, Second Fl.
Nashville, TN 37243
615-741-8723
B.P.R. No. 011189

Certificate of Service

I hereby certify that a true and correct copy of the foregoing Document has been mailed postage prepaid to the parties listed below this 15TH day of June, 1999.

Guy Hicks, Esq.
BellSouth Communications, Inc.
333 Commerce St., Suite 2101
Nashville, TN 37201-3300



L. Vincent Williams

SOUTH CENTRAL BELL
TELEPHONE COMPANY
TENNESSEE
ISSUED: June 10, 1994
BY: President - Tennessee
Nashville, Tennessee

GENERAL SUBSCRIBER SERVICES TARIFF

~~Second Revised Page 13~~
~~Cancels First Revised Page 13~~

EFFECTIVE: July 21, 1994

A2. GENERAL REGULATIONS

A2.3 Establishment And Furnishing Of Service (Cont'd)

A2.3.26 Service Tariffs

A. General

Tariffs filed with the Commission for proposed new flex-price service offerings and for rate decreases to existing flex-price service offerings shall be regulated as specified in B. following.

B. Regulations

1. The Basic Monopoly services along with the Monopoly and Promotional service groups within the Other Monopoly category of the 1990 Plan are fixed-price services. The fixed-price services receive traditional regulatory treatment of tariff changes (although promotional pricing for those services is retained)¹. (T)
2. All other services listed in the 1990 Plan fall into the flex-price category. The flex-price services' prices may be reduced (but not below "long-run incremental cost") on 15 days' notice. New flex-price services subject to the provisions of this agreement go into effect on 30 days' notice. These time limits shall begin to run from the date of mailing of the weekly Tariff Filing Information sheet. *Promotional pricing is applicable for these services.*¹ (C)
3. The PSC will not suspend a tariff filing in the flex-price category merely because intervention is requested or questions are raised. Tariff filings in this category will not be suspended except upon a showing of good cause² by an intervenor or the Staff.
4. If price or tariff changes or new tariffs are suspended within these review periods, then the tariffs or changes do not go into effect and the Commission will reach a decision within ninety (90) days of the filing date.
5. As with any proposed tariff, the Company shall bear the burden of proof to show that the tariff is just and reasonable. If, however, no party files a motion to intervene before the tariff becomes effective, the intervenor shall bear the burden of proof at any subsequent hearing on the tariff.

A2.4 Payment Arrangements And Credit Allowances

A2.4.1 Advance Payments

An applicant for service or facilities may be required to pay in advance of installation an amount not to exceed applicable service connection, installation or other nonrecurring charges plus charges for one month of service. Where construction charges are applicable the payment may be required in advance of start of construction.

A2.4.2 Deposits

- A. Any applicant who is unable to establish a satisfactory credit standing with the Company or any subscriber whose credit standing has become impaired may also be required to deposit a sum up to an amount equal to either the charge for two months' local service or the charge for the estimated toll messages during a like period, or both. If the Company does not have previous records of actual billing for a customer, the deposit shall be based on the average of two months' billing for all new customers in the area. This two months' average will exclude connection charges and partial month's billing. Any such deposit may be held during the continuance of the service as security for the payment of any and all amounts accruing for the service.

Note 1: Promotional pricing allows a waiver of the nonrecurring charge, as well as a waiver of up to 60 days of the recurring charge for new customers. The Commission shall receive notice of implementation of any promotional plan 30 days in advance. Promotional plans may be implemented on an exchange by exchange basis. (N)

Note 2: Good cause shall include a specific showing as to why suspension is warranted.

Tennessee Regulatory Authority - Dockets Database

Docket Table

Action

Case

Print

Find

Print

Forms

Docket Number:

99-00391

Company Name

BellSouth Telecommunications, Inc.

Case Type

☒

Tariff

☐

Case

☐

Both

Date Entered:

6/2/99

Date Received:

6/1/99

Date Proposed:

7/1/99

Caption:

TARIFF TO IMPLEMENT A \$0.29 DIRECTORY ASSISTANCE CHARGE

Page Numbers:

SEC.A3:6RP2,6RP54.1;SEC.A18:5RP1,4RP21

Type:

Rates

Fee Paid:

\$0.00

Notes:

Status:

Open

Pmt ID: WI:

0



BellSouth Telecommunications, Inc. 615 214-6520
Suite 2104 Fax 615 214-8858
333 Commerce Street
Nashville, Tennessee 37201-3300

Charles L. Howorth, Jr.
Regulatory Vice President

TARIFF FILING

99-391

June 1, 1999

RECEIVED

JUN 01 1999

**TN REGULATORY AUTHORITY
TELECOMMUNICATIONS DIVISION**

Mr. Joe Werner, Chief
Telecommunications Division
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee

Dear Mr. Werner:

SUBJECT: Directory Assistance Tariff Filing

Attached is the following tariff filing of BellSouth Telecommunications, Inc., issued June 1, 1999. We request that this tariff be effective July 1, 1999.

General Subscriber Services Tariff

Section A3 - Contents - Sixth Revised Page 2
- Sixth Revised Page 54.1
Section A18 - Contents - Fifth Revised Page 1
- Fourth Revised Page 21

This Tariff is being filed to increase the rates for Intrastate DA & NDA charging from zero to \$.29 per call. Additional details can be found in the Executive Summary that is included in this package.

We appreciate your returning a receipted copy as evidence of this tariff filing. Please call Jerry Jones at 214-3821 if you have any questions or wish to discuss.

Yours truly,

Charlie Howorth

Attachments

EXECUTIVE SUMMARY

This tariff filing proposes increases in the rates BellSouth charges for Intrastate Directory Assistance.

The rate elements affected, current and proposed rates, and their location in the General Subscriber Services Tariff are as detailed in the matrix below.

Service	Current Rate	Proposed Rate	Tariff Reference
Directory Assistance			
Local & Local/Toll Listings	.00	.29	A3.13.3
Listings Outside the Company's NPA/LATA serving area but within the state of Tennessee	.00	.29	A3.13.3

Calls where Intrastate listings are provided will be subject to an allowance of six (6) calls per monthly billing cycle.

Customers certified to be disabled to the degree they are unable to use a telephone directory will be exempt from DA charges associated with calls where Local and Local/Toll listings are provided.

Customers certified to 65 or more years of age will be exempt from DA charges associated with calls where Local and Local/Toll listings are provided.

The projected gross revenue impact of having these rates in place is \$10,496,403 during the first year's implementation.

The proposed \$.29 per call rate exceeds the cost of service provision. Cost information will be provided to the TRA under proprietary cover.

Attached for filing with the Commission are the following pages:

General Subscriber Service Tariff

- Section A3 - Contents - Sixth Revised Page 2
- Sixth Revised Page 54.1
- Section A18 - Contents - Fifth Revised Page 1
- Fourth Revised Page 21

A3. BASIC LOCAL EXCHANGE SERVICE

CONTENTS

A3.11	Reserved For Future Use	53.1
A3.12	Network Access Register Usage Package	53.1
A3.12.1	General	53.1
A3.12.2	Regulations And Application Of Rates	53.1
A3.12.3	Rates	54
A3.13	Directory Assistance Service	54.1
A3.13.1	General	54.1
A3.13.2	Application of Rates, <i>Exemptions and Call Allowances</i>	54.1
A3.13.3	Rates and Charges	54.1
A3.14	Operator Assisted Local Calls And Local Calling Card Service Calls	55
A3.14.1	General	55
A3.14.2	Application Of Rates	55
A3.14.3	Service Charges	55
A3.15	Local Operator Verification/Interruption Service	55
A3.15.1	General	55
A3.15.2	Application Of Charges	55
A3.15.3	Rates	56
A3.16	Reserved For Future Use	56
A3.17	Auxiliary Line Service (Inward Service)	56
A3.17.1	General	56
A3.18	Concession Service	56
A3.18.1	General	56
A3.18.2	Charitable Institutions	57
A3.18.3	Churches And Clergymen	57

A3. BASIC LOCAL EXCHANGE SERVICE

A3.13 Directory Assistance Service

This service is a Flex-Price service and is regulated under terms and conditions as described in A2.3.26 of this Tariff.

A3.13.1 General

- A. The Company furnishes Directory Assistance service for the purpose of aiding customers in obtaining telephone numbers.
- B. When the Company receives a 1-411 dialed call and the caller provides a state, city and name, the Company will either:
 1. provide the listed and available telephone number(s) requested, or
 2. apprise the caller that the number(s) cannot be provided because the listing(s) is private (non-published), or not available in BellSouth's database.
- C. Directory Assistance does not provide telephone numbers associated with private (non-published) listings but does furnish numbers for semi-private (non-listed) listings.

A3.13.2 Application of Rates, Exemptions and Call Allowances

- A. No charge applies for the first six (6) calls per billing period month requesting listing information for lines located within the state of Tennessee. This call allowance applies per individual subscriber line, MultiServ[®] or MultiServ PLUS[®] service main station line, PBX trunk line or dormitory communication station line or for the first call per month per Centrex, ESSX[®], or Digital ESSX[®] service station line.

This call allowance is not transferable between separate accounts, even for the same customer. A call allowance unused during the monthly billing period will not be credited for application to a Directory Assistance call made in a later billing period.

- B. Subscribers who have applied for and received Company certification as being unable to use a telephone directory due to a visual or physical disability which can be confirmed by a physician, appropriate group, or agency are exempt from charges for Directory Assistance calls when requesting listing information for lines located within the Company's NPA/LATA Directory Assistance serving area for the originating line. Written confirmation must be provided to the Company for this exemption to apply. Application procedures may be obtained by calling the local business office.

This exemption is applicable exclusively to calls made by the individual certified to be visually or physically disabled from their own subscriber line, or in the case of a business employing disabled persons, from the line assigned to that individual. Usage will be monitored by the Company and is subject to review and investigation. Certification will be verified periodically. Confirmed, inappropriate use of this exemption could result in its removal.

- C. Residence subscribers who have applied for and received Company certification as being 65 or more years of age are exempt from Directory Assistance charges when requesting listing information for lines located within the Company's NPA/LATA Directory Assistance serving area for the originating line. Written confirmation must be provided to the Company for this exemption to apply. Application procedures may be obtained by calling the local business office.

This exemption is applicable exclusively to calls made by the individual certified to be 65 or more years of age from their own subscriber line. Usage will be monitored by the Company and is subject to review and investigation. Certification will be verified periodically. Confirmed, inappropriate use of this exemption could result in its removal.

A3.13.3 Rates And Charges

- A. Directory Assistance service - (maximum of two *listing* requests per call)

1. *Receipt of listings associated with lines located within the Local Calling Area or NPA/LATA serving area of the originating line*

(a) Per call

Rate
\$.29

USOC
NA

2. *Receipt of listings associated with lines located outside the NPA/LATA serving area of the originating line and within the state of Tennessee*

(a) Per call

.29

NA

3. *Receipt of listings associated with lines located outside the state of Tennessee*

(a) Per call

.85

NA

- B. Directory Assistance for Mobile Service Providers (MSPs)

1. All calls to Directory Assistance

(a) Per call

.30

NA

BELLSOUTH
TELECOMMUNICATIONS, INC.
TENNESSEE
ISSUED: June 1, 1999
BY: President - Tennessee
Nashville, Tennessee

GENERAL SUBSCRIBER SERVICES TARIFF

Fifth Revised Page 1
Cancels Fourth Revised Page 1

EFFECTIVE: July 1, 1999

A18. LONG DISTANCE MESSAGE TELECOMMUNICATIONS SERVICE

CONTENTS

A18.1	Application	1
A18.2	General	1
A18.3	Two-Point Service	1
A18.3.1	Service Between Land Wire Stations - Residence	1
A18.3.2	Service Through Mobile Telephone Service Base Stations	4
A18.3.3	(OBSOLETE)	
A18.3.4	Reserved For Future Use	7
A18.3.5	Service Through Miscellaneous Common Carriers	7
A18.3.6	Optional Calling Plans	7
A18.3.7	Reserved For Future Use	7
A18.3.8	Service Between Land Wire Stations - Business	7
A18.4	Conference Service	7.5
A18.4.1	General	7.5
A18.4.2	Application Of Charges	7.5
A18.4.3	Reserved For Future Use	8
A18.5	Airline Mileage Between Rate Centers	8
A18.5.1	General	8
A18.5.2	Determination Of Airline Mileages	8
A18.5.3	List Of Rate Centers By LATA	10
A18.6	Reserved For Future Use	21
A18.7	(DELETED)	
A18.8	Intra-LATA Long Distance Operator Verification/Interruption Service	22
A18.8.1	General	22
A18.8.2	Application Of Charges	22

BELLSOUTH
TELECOMMUNICATIONS, INC.
TENNESSEE
ISSUED: June 1, 1999
BY: President - Tennessee
Nashville, Tennessee

GENERAL SUBSCRIBER SERVICES TARIFF

Fourth Revised Page 21
Cancels Third Revised Page 21

EFFECTIVE: July 1, 1999

A18. LONG DISTANCE MESSAGE TELECOMMUNICATIONS SERVICE

A18.5 Airline Mileage Between Rate Centers (Cont'd)

A18.5.3 List Of Rate Centers By LATA (Cont'd)

E. Rate Centers Located In Tennessee Which Are Part Of A LATA For Another State

Rate Center	V	H	LATA/State
Cottagegrove	7109	2998	Owensboro/Kentucky
Cumberland Gap	6660	2280	Winchester/Kentucky
Cypress	7061	2947	Owensboro/Kentucky
Fork Ridge	6673	2296	Winchester/Kentucky
Michie	7363	2861	Jackson/Mississippi
Puryear	7084	2981	Owensboro/Kentucky
South Fulton	7116	3072	Owensboro/Kentucky
South Guthrie	6951	2822	Owensboro/Kentucky
South Hazel	7072	2986	Owensboro/Kentucky

A18.6 Reserved For Future Use

A18.7 (DELETED)

(D)

BELLSOUTH
TELECOMMUNICATIONS, INC.
TENNESSEE
ISSUED: April 23, 1998
BY: President - Tennessee
Nashville, Tennessee

GENERAL SUBSCRIBER SERVICES TARIFF

Fifth Revised Page 54.1
Cancels Fourth Revised Page 54.1

EFFECTIVE: August 18, 1998

A3. BASIC LOCAL EXCHANGE SERVICE**A3.13 Directory Assistance Service**

This service is a Flex-Price service and is regulated under terms and conditions as described in A2.3.26 of this Tariff.

A3.13.1 General

- A. *The Company furnishes Directory Assistance service for the purpose of aiding customers in obtaining* telephone numbers. (C)
- B. (DELETED) (D)
- C. *When the Company receives a 1-411 dialed call and the caller provides a state, city and name, the Company will either:* (C)
 - 1. provide the listed and available telephone number(s) requested, or (N)
 - 2. apprise the caller that the number(s) cannot be provided because the listing(s) is private (non-published), or not available in BellSouth's database. (N)
- D. Directory Assistance does not provide telephone numbers *associated with* private (non-published) listings but does furnish *numbers for* semi-private (*non-listed*) listings. (T)

A3.13.2 (DELETED)**A3.13.3 Rates And Charges**

- A. Directory Assistance service - request of a listing (maximum of two requests per call) (N)
 - 1. Within the state of Tennessee (N)

	Rate	USOC	
(a) Per call	\$.00	NA	(N)
 - 2. Outside the state of Tennessee (N)

(a) Per call	.85	NA	(N)
--------------	-----	----	-----
- B. *Directory Assistance for Mobile Service Providers (MSPs)* (T)
 - 1. *All calls to Directory Assistance* (T)

(a) <i>Per call</i>	.30	NA	(T)
---------------------	-----	----	-----

(M)



BellSouth Telecommunications, Inc. 615 214-5883
Room 22A1
333 Commerce Street
Nashville, Tennessee 37201-3300

Robert Reynolds
Director
Regulatory

May 30, 1996

RECEIVED

MAY 31 1996

Mr. Archie R. Hickerson
Consumer Advocate Division
404 J. Robertson Parkway, #1504
Nashville, TN 37243-0500

STATE ATTORNEY GENERAL
CONSUMER ADVOCATE DIVISION

Re: *Directory Assistance Tariff Filing (Tariff No. 94-223)*
Docket No. 94-02876

Dear Mr. Hickerson:

This is to follow up on your recent conversation with Jerry Jones, of BellSouth Telecommunications, Inc. ("BellSouth"), concerning the Directory Assistance Tariff. As you know, BellSouth recently withdrew this tariff, which had been pending before the Commission since October 6, 1994.

In early 1995, BellSouth and the Consumer Advocate Division entered into negotiations in connection with the proposed tariff in an effort to address the Division's objections to it. On February 14, 1995, BellSouth and the Consumer Advocate filed a joint motion requesting a hearing in connection with a draft settlement agreement. For a variety of reasons, no hearing was ever held, the agreement was never approved, and the tariff remained pending for approximately 20 months.

Because of the dramatic change in Tennessee's regulatory landscape, decisions of the Commission since the execution of the draft agreement which possibly renders its performance impossible and the withdrawal of the tariff, the draft agreement intended to address objections associated with that filing is now moot. At present no decision has been made as to whether or not a similar filing will be made. Before such filing, however, we will contact your office to discuss this matter in a manner consistent with the negotiation procedure which produced the draft settlement agreement.

Please do not hesitate to call me at 214-5883 or Jerry Jones at 214-3821 if you would like to discuss this in more detail.

Sincerely yours,

A handwritten signature in cursive script that reads "Robert Reynolds".

cc: Eddie Roberson

REC'D IN 112113
SERVICE OFFICE
1995 FEB 7 3 PM 1:43
OFFICE OF THE
CLERK OF THE
SUPREME COURT

STATE OF TENNESSEE
OFFICE OF THE
ATTORNEY GENERAL
404 JAMES ROBERTSON PARKWAY
PARKWAY TOWERS - SUITE 1504
NASHVILLE, TENNESSEE 37243-0500

February 3, 1995

Ms. Jeanne Moran
General Utility Counsel
Tennessee Public Service Commission
460 James Robertson Parkway
Nashville, Tennessee

Dear Ms. Moran:

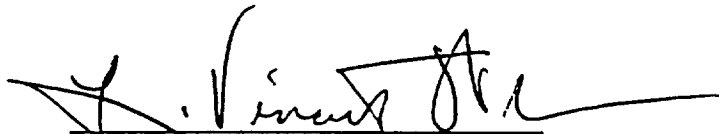
Attached is a settlement agreement between the Consumer Advocate Division and the BellSouth Telecommunications, Inc. d/b/a South Bell Telephone Company regarding the tariff to implement Directory Assistance Charges (Docket No. 94-02876). We respectfully request that this matter be placed on the next Commission Conference agenda scheduled for Tuesday, February 7.

Sincerely,



Charles L. Howorth
General Counsel -
South Central Bell

Agreed,



L. Vincent Williams
Consumer Advocate Division

"DA AGREEMENT"

February 3, 1995

SETTLEMENT AGREEMENT
BETWEEN
THE CONSUMER ADVOCATE DIVISION
AND
BELLSOUTH TELECOMMUNICATIONS, INC.
FEBRUARY 3, 1995

DOCKET NO. 94-02876

BellSouth Telecommunications, Inc. d/b/a South Central Bell Telephone Company (hereinafter referred to as "the Company") and the Consumer Advocate Division hereby agree:

That a fair and equitable agreement regarding the issues surrounding the Company's petition for a directory assistance charge is in the interest of the parties and the public; that the terms set out below represent such a fair and equitable agreement; and that such an agreement should be presented and recommended to the Public Service Commission. Therefore, in consideration of the promises made herein, which are mutually dependent, the parties hereby agree to the following:

1. The parties recognize that the Tennessee Public Service Commission has the authority to approve or disapprove tariffs, rates, and related issues.
2. The Company will provide a free Directory Assistance ("DA") call allowance for each access line service of eight (8) calls for residence customers and five (5) calls for business customers per billing cycle. This allowance will be applied to Local or Intra-NPA Toll DA calls (e.g., a residence customer will get up to 8 free calls in total regardless of whether they are to Local DA or Intra-NPA DA).
3. The per call rate for DA will be \$0.25 for Residence and Business, Local and Intra-NPA Toll.
4. South Central Bell will not file a petition or tariff seeking a DA rate increase or change in allowances for a period of two years from the effective date of this tariff. Nothing in this agreement, however, commits the Consumer Advocate Division to support price or allowance changes at that time.

5. The DA charge will be applicable to all calls with the following exceptions: 1) calls made by residence customers who are unable to use a telephone directory because of a visual or physical disability which can be confirmed by a physician, appropriate group or agency, 2) the first 50 calls, per billing period, made by business customers, who are unable to use a telephone directory because of a visual or physical disability which can be confirmed by a physician, appropriate group or agency, 3) calls made from hospitals and nursing homes, 4) calls made from Public and Semipublic telephone service locations and Customer Provided Public telephones, and 5) calls made by residence customers from their line who are 70 years of age or older and who have applied to the Company for the *DA calling exemption and provided confirmation of their age.
6. All residence local calling card calls dialed 0+ by a person certified as disabled will be exempt from local operator surcharges. This will include calls dialed 0+411. This will allow a person certified as disabled to access DA free of charge away from his or her home.
7. The Company will make up to three (3) copies of all local calling area directories, both white and yellow page directories, available to each customer upon request, free of charge. (non-tariff item)
8. The Company will continue to provide directories outside of the local calling area in the same manner as before the tariff (non-tariff item).
9. The tariff to provide the Customer Name and Address (CNA) will not be included in the present filing. Instead, the Company will conduct a statistical sample of customers to determine the public sentiment regarding CNA service. South Central Bell will not file a petition for tariffs seeking to offer CNA for a period of two years from the effective date of the tariff, unless it is determined that the majority of customers want this service. The Company will work together with the Consumer Advocate as the sample is taken. Nothing in this agreement binds the Consumer Advocate to support a CNA filing by the Company.

10. The revenue and cost savings generated by implementing a DA charge will be offset as follows (NOTE: numbers are approximate. The Company will work to make the net effect of the entire tariff as close to \$0 as possible.):

Toll reduction on mileage bands	(\$5.7M)
Elimination of zone charges	(\$7.1M)
Reduction of grouping charges	(\$6.8M)
	(\$19.6M)

Minor deviations within the categories may occur, however, it is the intent of the parties that the net effect of the tariff(s) will be zero. Contemporaneously with filing the revised tariff for directory assistance, the Company will file tariffs to accomplish these reductions or charges.

11. The Company will take the following measures to educate the consumers of Tennessee about this tariff (non-tariff item):
- a). A recorded message will be placed on local DA calls i.e., 411) for three (3) months from the effective date of this tariff. The message will inform customers that there may be a charge, the numbers to call to obtain directories, and that the customer may hang up immediately and not be charged. At the end of the three month period, the recording will be removed.
 - b). A bill insert will be provided prior to the effective date of the tariff informing customers of the DA charge, the number to call to obtain an exemption form, and the numbers to call to obtain directories,
 - c). A general press release will be issued.
 - d). The Company will work with the Coalition for Persons with Disabilities to inform this special needs community about the charge and the exemption procedure.
12. The proposed effective date of this tariff will be March 15, 1995, if the related tariffs outlined in paragraph 10 are also

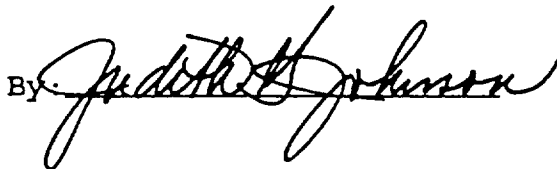
effective.

13. The Consumer Advocate and the Company agree to issue separate press releases on the settlement but they will be issued simultaneously. Both parties agree to share input to each respective press release prior to issuance of the releases.
14. The Consumer Advocate and the Company agree to approach the Tennessee Public Service Commission jointly to communicate the agreement.
15. Upon execution of this agreement in principle, and review of the actual tariff(s), the Consumer Advocate agrees to support the tariff(s) which conform(s) to this agreement as stipulations of fact. This the 3rd day of February, 1995.

South Central Bell

Consumer Advocate Division

By:



By:

